

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

L.B., *by her next friends and parents,*
SAMANTHA BROWN and HENRY
BROWN,

Plaintiffs,

v.

HARRISON COUNTY SCHOOL
DISTRICT; HARRISON COUNTY
SCHOOL BOARD; MITCHELL KING, *the
Superintendent of Harrison County School
District;* KELLY FULLER, *the Principal of
Harrison Central High School,*

Defendants.

Civil Action No. 1:23cv124 HSO-BWR

DECLARATION OF L.B.

Pursuant to 28 U.S.C. § 1746, I, L.B., make the following declaration under penalty of perjury:

1. My name is L.B., and my birthdate is August 25, 2005. I am seventeen years old. I have been a resident of Harrison County and the state of Mississippi for a minimum of six (6) months. My place of residence is Gulfport, Mississippi wherein I reside with my parents, Samantha Brown and Henry Brown.
2. I am a senior at Harrison Central High School in good academic standing. I am scheduled to graduate from Harrison Central High School on Saturday, May 20, 2023.
3. I am excited to attend my graduation ceremony, to walk across the stage, and accept my diploma before celebrating with friends and family.

4. I am a transgender girl and have been openly transgender since I began attending Harrison Central High School as a freshman four years ago. Over the past four years, I have lived every aspect of my high school career as a girl, and have frequently worn dresses, skirts, and other traditionally feminine clothing items to in-person classes and school-sponsored events and activities without issue or repercussion. Wearing traditionally feminine clothing is critically important to my sense of self expression and identity as a girl.
5. In preparation for graduation, I purchased a white dress and high-heeled shoes from shein.com on March 16, 2023.
6. On Thursday, May 4, 2023, I was in the administrative office at Harrison Central High School and assistant principal Dr. Spencer approached me stating that the principal, Ms. Fuller, wanted to speak with me about a matter. I responded inquiring if there was a problem and if I had done something wrong. Dr. Spencer replied that I was not in trouble and that there was no problem. Additionally, he stated that "I should have a straight face," when Ms. Fuller speaks to me. I didn't understand what he meant but assumed that everything was okay, and I left the office.
7. On Tuesday, May 9, 2023, I was in the administrative office and Ms. Fuller approached me stating that we needed to talk. I entered her office wherein she asked me what I had planned to wear to graduation. I told her that I purchased a white dress and heels. She then stated that the superintendent, Mr. King had previously called her and that he inquired about what the students were wearing to the graduation ceremony. She then informed me that I could not wear a dress and that I would need to wear what the boys are wearing. Further, she said that this directive was coming from Mr. King. After a few moments of silence, I asked her what else I would be permitted to wear instead of a suit and tie, and she said that according to

Mr. King I would be required to adhere to the dress code policy and wear what the boys were required to wear. She apologized for the news, and I responded that I would not attend graduation if I could not wear a dress. Ms. Fuller encouraged me to find an alternative outfit and not miss the graduation ceremony because my family and friends most certainly would want to see me walk across the stage. I left her office and called my mother to tell her what Ms. Fuller and Mr. King said. I had a difficult time speaking to my mother because I was sobbing profusely. My mother attempted to calm me down and stated that she would contact Ms. Fuller to discuss the matter and to clear things up.

8. On May 10, 2023, I picked up my cap and gown and included with them was a letter stating the dress code for graduation wherein girls were required to wear white dresses and boys were required to wear a white buttoned-down dress shirt, black pants, a tie and black dress shoes with socks. I was immediately incensed and began to cry. I called my mother to inform her of the letter.
9. It is my position that if I am forced to wear boys clothing to graduation I no longer wish to attend the ceremony even though I have family members who have made plans to travel far distances to see me graduate.
10. I have suffered significant emotional distress, humiliation, shame, and anxiety, and fear that I will be forced to miss this important moment in my life and academic career.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed: May 17, 2023


L.B.